

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

NO. MJ13-112

Plaintiff,

V.

## DETENTION ORDER

JOSEPH L. GARCIA,

Defendant.

**Offense charged:**

Possession of Methamphetamine with Intent to Distribute, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)

Date of Detention Hearing: March 5, 2013.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

## FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that defendant is a flight risk and a danger to the community based on the nature of the pending charges. Application of the presumption is appropriate in this case.

2. Defendant faces a very lengthy potential penalty if he is convicted.

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18 U.S.C. § 3142(i)

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1       3.    Defendant has a lengthy criminal history involving drugs.  
2       4.    Defendant has significant on-going substance abuse problems.  
3       5.    According to the Assistant United States Attorney, defendant is an active gang  
4 member.  
5       6.    Defendant has had prior supervision orders revoked.  
6       7.    Defendant is associated with three social security numbers.  
7       8.    The Assistant United States Attorney proffered evidence relating to defendant's  
8 efforts to obstruct justice in a prior case.

9       9.    There are no conditions or combination of conditions other than detention that  
10 will reasonably assure the appearance of defendant as required or ensure the safety of the  
11 community.

12      IT IS THEREFORE ORDERED:

13     (1)   Defendant shall be detained and shall be committed to the custody of the  
14            Attorney General for confinement in a correction facility separate, to the extent  
15            practicable, from persons awaiting or serving sentences or being held in custody  
16            pending appeal;  
17     (2)   Defendant shall be afforded reasonable opportunity for private consultation with  
18            counsel;  
19     (3)   On order of a court of the United States or on request of an attorney for the  
20            government, the person in charge of the corrections facility in which defendant  
21            is confined shall deliver the defendant to a United States Marshal for the  
22            purpose of an appearance in connection with a court proceeding; and

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1 (4) The Clerk shall direct copies of this Order to counsel for the United States, to  
2 counsel for the defendant, to the United States Marshal, and to the United States  
3 Pretrial Services Officer.

4 DATED this 5th day of March, 2013.

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7 JAMES P. DONOHUE  
United States Magistrate Judge

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